

**TALKIN, MUCCIGROSSO & ROBERTS, L.L.P.**

ATTORNEYS AT LAW

40 EXCHANGE PLACE

18TH FLOOR

NEW YORK, NEW YORK 10005

(212) 482-0007 PHONE

(212) 482-1303 FAX

WWW.TALKINLAW.COM

EMAIL: INFO@TALKINLAW.COM

MARYLAND OFFICE:  
5100 DORSEY HALL DRIVE  
SUITE 100  
ELLIOTT CITY, MD 21042

410-964-0300

NEW JERSEY OFFICE:  
2500 PLAZA 5  
HARBORSIDE FINANCIAL CENTER  
JERSEY CITY, NJ 07311

201-342-6665

May 11, 2024

Honorable Arun Subramanian  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

VIA ECF

Re: United States v. Avraham Eisenberg  
23 Cr. 10 (AS) & 24 Cr. 251 (AS)

Dear Judge Subramanian:

Defendant Avraham Eisenberg (“Eisenberg”) respectfully submits this letter regarding sentencing in the above-captioned matters. The parties jointly request that sentencing on both matters take place simultaneously in a consolidated proceeding. The government, by joining in this request, does not intend to limit its ability to request that the Court impose consecutive sentences as to the separately-filed charges.

The Court set a July 29, 2024 sentencing date in 23 Cr. 10. Because the Court has now granted Eisenberg’s request to extend the Rule 29/33 motion briefing schedule, the parties respectfully request that the Court adjourn sentencing to a date convenient for the Court during the week of September 30, 2024.

Eisenberg submits that a single Presentence Investigation Report as to both cases should be prepared and that the grouping analysis set forth in Part D of Chapter 3 of the United States Sentencing Guidelines regarding the imposition of a sentence on multiple counts of conviction be utilized.<sup>1</sup> The procedure for determining the offense level for multiple counts of conviction set forth in U.S.S.G 3D1.1 is appropriate because “[f]or the purposes of sentencing

---

<sup>1</sup> While the three counts of conviction in 23 Cr. 10 are closely related and should thus be grouped together under U.S.S.G § 3D1.2, Eisenberg does not dispute that the count of conviction in 24 Cr. 251 is unrelated and should be grouped separately.

multiple counts of conviction, counts can be ... (B) contained in different indictments or informations for which sentences are to be imposed at the same time or in a consolidate proceeding.” Applications Note 1. Additionally, the United States Probation Department has informed me that under the instant circumstances, its policy is to generate a single “Double Docket” PSR employing the grouping procedures set forth in Chapter 3 of the Sentencing Guidelines.

Thank you for Your Honor’s consideration of these requests.

Very truly yours,

*Sanford Talkin*  
Sanford Talkin

cc: AUSA Thomas Burnett (by ECF)  
AUSA Peter Davis (by ECF)  
SAUSA Tian Huang (by ECF)  
USPO Megan Hernriquez (by email)